

FOLEY LARDNER

ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEYLARDNER.COM

#8
ADP**FACSIMILE TRANSMISSION**Total # of Pages 2 (including this page)

TO:	PHONE #:	FAX #:
Art Group 1651 U.S. Patent and Trademark Office		(703) 872-9306

From :	Richard San Pietro
Email Address :	rsanpietro@foleylaw.com
Sender's Direct Dial :	858.847.6717
Date :	August 29, 2003
App. Serial Number :	09/916,032
Client/Matter No :	074066-0104
User ID No :	0079

RECEIVED
CENTRAL FAX CENTER
SEP 02 2003**OFFICIAL**

Transmitted herewith for filing is a Response to Restriction Requirement (1 pg.).

OFFICIAL

If there are any problems with this transmission or if you have not
received all of the pages, please call (858) 847-6756.

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

AUG. 29. 2003 3:15PM

858 792-6773 FOLEY AND LARDNER

NO. 3537 P. 2

074066-0105

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fahy

Title: AN ADVANTAGEOUS CARRIER
SOLUTION FOR VITRIFIABLE
CONCENTRATIONS OF
CRYOPROTECTANTS, AND
COMPATIBLE CRYOPROTECTANT
MIXTURES

Appl. No.: 09/916,396

Filing Date: July 27, 2001

Examiner: Sandra E. Saucier

Art Unit: 1651

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted (703.872.9306) to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Line Gauthier</u> (Printed Name) <u>Line Gauthier</u> (Signature) <u>August 29 2003</u> (Date of Deposit)

RECEIVED
CENTRAL FAX CENTER
SEP 02 2003

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

OFFICIAL


Madam:

In response to the restriction requirement set forth in the Office Action mailed September 26, 2002 (Paper No. 7) Applicant hereby provisionally elects Group 1, Claims 19-28 and 31-37, for examination, with traverse.

The claims of Group III can be examined along with the claims of Group I using the same search and without undue burden to the Examiner. Therefore, it is respectfully requested that the claims of Group III be examined with the claims of Group I.

Date: Aug. 29, 2003

Respectfully submitted,

FOLEY & LARDNER
Customer Number: 30542

30542
PATENT TRADEMARK OFFICE
Telephone: (858) 847-6700
Facsimile: (858) 792-6773

By Richard S. Pietro

Richard San Pietro
Attorney for Applicant
Registration No. 45,071

023.241438.1

Received from < > at 8/29/03 6:15:52 PM [Eastern Daylight Time]